IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY , THE EIGHTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE D.S.R.VARMA**

**WRIT PETITION NO : 6998 of 2005**

Between:

R.R. Recreation Club , rep. by its President,Mr. ASR Murthy,
S/o A.N. Murthy, situate at 157/7, Staff Road, RR Complex, Opp: to Cantonment Workshop, Sikh Village.

**..... PETITIONER**

AND

1 The Commissioner of Police, Hyderabad.
2 The Deputy Commissioner of Police, North Zone, Hyderabad.
3 The Assistant Commissioner of Police, Mahankali Division, Secunderabad.
4 Station House Officer, Karkhana, Secunderabad.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or order more especially one in the nature of writ of mandamus declaring the action of the respondents in interfering with the lawful activities of the petitioner's club and consequentially appoint an advocate commissioner to the writ petitioner's club to watch the activities of the petitioner club and report to this Hon'ble High Court on the frequent visits of the respondents to the petitioners club and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

**Counsel for the Petitioner: MR.RAVI SHANKAR JANDHYALA**

**Counsel for the Respondents 1 to 4: GP FOR HOME**

**The Court at the stage of admission made the following :**

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***ORAL ORDER:***.

Heard both sides and at their request, this Writ Petition is taken up for disposal at the stage of admission.

This Writ Petition is filed for issuance of a Writ particularly one in the nature of Mandamus, declaring the action of the respondents in interfering with the lawful activities of the petitioner's club as illegal and consequently appoint an Advocate Commissioner to watch the activities of the petitioner club and report to this court on the frequent visit of the respondents to the petitioners club.

The complaint of the counsel appearing for the petitioner is that despite the orders passed by this court in W.P.No. 5656 of 2005 dated 18.3.2005, directing the respondents not to interfere with the lawful activities of the petitioner's club, the respondents have been interfering with the day-to-day activities of the club.

In order to ascertain the factual position this court called upon the Station House Officer, Karkhana, Secunderabad, to appear in person before this court and explain the factual position. Accordingly he appeared before this court today and explained that there was a complaint made by somebody, who styled himself as Chief Executive Officer of the club and in that connection, he went to the club on quite few occasions by making an entry in the General Diary of his Police Station and eventually it was found that there was a civil dispute and therefore, no further investigation is taken up. He also stated that there is no need to go to the club except to check up unlawful activities, if ay going on, on any report and there is absolutely no need for the police to enter into the club premises, much less posting the police personnel at the club.

The Station House Officer, Karkhana, Secunderabad, sincerely expressed his regrets. Therefore, his presence is dispensed with and the further proceedings

against him are dropped. However, having regard to nature of averments made by the petitioner in the affidavit filed in support of the Writ Petition, I deem it fit to appoint an Advocate Commissioner for a period of six months.

Accordingly, I hereby appoint Sri V. Srimannarayana, C/o Ravishankar Jandayala, 707, Mathrusree Appartments, Hyderguda, Hyderabad, as Advocate Commissioner.

The Advocate Commissioner shall visit the petitioner-club at any time, any number of times or as and when he feels it expedient and necessary, or as and when his presence is required by the petitioner-club or the respondents.

The fee of the Advocate Commissioner is fixed as Rs. 5,000/- per month.

The appointment of the Advocate-Commissioner is only for a period of six months from the date of his assumption of charge.

Accordingly, the Writ Petition is disposed of at the stage of admission. However, there shall be no order as to costs.

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D.S.R. VARMA, J

DATED: 08.04.2005

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Note: Communicate copy in two days.

B/O

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To

1 The Commissioner of Police, Hyderabad.
2 The Deputy Commissioner of Police, North Zone, Hyderabad.
3 The Assistant Commissioner of Police, Mahankali Division, Secunderabad.
4 Station House Officer, Karkhana, Secunderabad.

5. Two CCs to G.P. Home, High Court of A.P., Hyderabad (OUT)

6. Two CD copies.